



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

JUL - 6 2016

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Mr. Michael Shores  
Plant Manager  
Sumas Generating Station  
1340 Thompson Lane  
Sumas, Washington 98295

Re: Sumas Generating Station – Puget Sound Energy  
Washington Industrial Stormwater General Permit Number WAR010707

Dear Mr. Shores:

On December 3, 2014, the Washington Department of Ecology issued an Industrial Stormwater General Permit (ISGP) to the Sumas Generating Station ("Facility"), ISGP Permit Number WAR010707. The ISGP became effective on January 2, 2015 and replaced the previous permit, which expired on December 31, 2014. On September 3, 2015, the U.S. Environmental Protection Agency (EPA) conducted an inspection of the Facility to determine compliance with the Washington ISGP and Section 402 of the Clean Water Act (CWA). The purpose of this letter is to notify you of violations EPA discovered upon review of administrative files, including the Discharge Monitoring Reports (DMRs) submitted by the Facility, and in response to the inspection conducted by EPA. I would like to express my appreciation for your staff's time and cooperation during the inspection.

**ADMINISTRATIVE FILE REVIEW**

EPA reviewed the Washington Water Quality and Reporting Information System ("PARIS") DMRs from May 2011 through June 2016 and identified one benchmark exceedance, which occurred during the 1<sup>st</sup> Quarter of 2016. The benchmark for Zinc (total) is 117 mg/L. The reported value was 160 mg/L.

**SEPTEMBER 2015 INSPECTION**

**VIOLATIONS**

1. Part S3.B.5.a of the ISGP states that the Stormwater Pollution Prevention Plan (SWPPP) must include a sampling plan that shall, "Identify points of discharge to surface water, storm sewers, or discrete ground water infiltration locations, such as dry wells or detention ponds."

Part S4.B.2.a of the ISGP states, "The Permittee shall designate sampling location(s) at the point(s) where it discharges *stormwater* associated with *industrial activity* off-site."

Part S4.B.2.c of the ISGP states, "The Permittee shall sample each distinct point of *discharge* off-site except as otherwise exempt from monitoring as a '*substantially identical discharge point*' per S3.B.5.b. If applicable, the Permittee is only required to monitor applicable parameters at one of the '*substantially identical discharge points*'."

At the time of the inspection, the inspector noted two storm drains near the northeast corner of the Facility. The SWPPP map did not identify the two storm drains as points of discharge. Subsequently, the Facility was not monitoring the discharge from the storm drains. Failure to identify points of discharge on the SWPPP map, and monitor those discharges, are violations of Parts S3.B.5.a, S4.B.2.a, and S4.B.2.c are violations of the ISGP.

2. Part S3.B.5 of the ISGP states, "The SWPPP shall include BMPs to provide SWPPP training for employees who have duties in areas of industrial activities subject to this permit."

Part S3.B.5.c of the ISGP states that the training plan shall include, "The frequency/schedule of training. The Permittee shall train employees annually, at a minimum."

Part S3.B.5.d of the ISGP states that the training plan shall include, "A log of the dates on which specific employees received training."

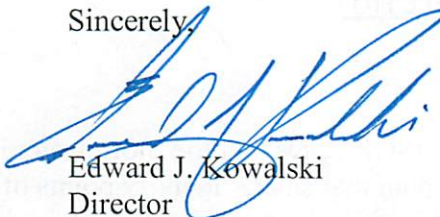
Part S9.C.1.e of the ISGP states that the Permittee shall retain onsite for a minimum of five years "Any other documentation of compliance with permit requirements."

At the time of the inspection, the Facility was unable to produce training records for training conducted in 2011. Failure to conduct training or to maintain training records on-site are violations of Parts S3.B.5, S3.B.5.c, S3.B.5.d, and S9.C.1.e are violations of the ISGP.

Although our goal is to ensure facilities comply fully with their permits, the ultimate responsibility rests with the permittee. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the ISGP requirements, and other appropriate statutes, and to respond appropriately to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

I have enclosed a copy of the inspection report. If you have any questions concerning this matter, please call Raymond Andrews of my staff at (206) 553-4252.

Sincerely,



Edward J. Kowalski  
Director

Enclosure

cc w/ encl: Mr. Doug Allen  
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